

UNITED STATES DISTRICT COURT **FILED**  
for the  
Eastern District of California JUN 29 2023

UNITED STATES OF AMERICA,

v.

YOBANY MADRIGAL-SANCHEZ,

CLERK U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY \_\_\_\_\_  
DEPUTY CLERK

Case No. **1:23-cr-00007-JLT**

**ORDER SETTING CONDITIONS OF RELEASE**

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at: **U.S. DISTRICT COURT, 2500 Tulare Street, Fresno, California**

*Place*

**U.S. MAGISTRATE JUDGE Erica P. Grosjean in Courtroom 10 (unless another courtroom is designated)**

on **NOVEMBER 1, 2023, at 2:00 PM**

*Date and Time*

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance and Compliance Bond, if ordered.

**TO U.S. MARSHAL: DELAY RELEASE from Central Valley Annex until Friday, June 30, 2023 at 8:00 A.M. Defendant shall be released to Kevin Michel to be transported to Teen Challenge Residential Treatment Program.**

**Copies to: Defendant (through Probation) PROBATION SERVICES US ATTORNEY US MARSHAL)**

**ADDITIONAL CONDITIONS OF RELEASE**

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

- ☐ (6) The defendant is placed in the custody of:

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

SIGNED: \_\_\_\_\_  
CUSTODIAN

- ☒ (7) The defendant shall comply with the following:
- ☒ (1) As directed by the probation officer, the defendant shall participate in an outpatient correctional treatment program to obtain assistance for drug and/or alcohol abuse.
  - ☒ (2) As directed by the probation officer, the defendant shall participate in a program of testing (i.e., breath, urine, seat patch, etc.) to determine if he has reverted to the use of alcohol or drugs.
  - ☒ (3) The defendant shall abstain from the use of alcohol beverages and shall not frequent those places where alcohol is the chief item of sale.
  - ☒ (4) As directed by the probation officer, the defendant shall participate and complete a minimum of four (4) months at the Teen Challenge Residential Treatment Program.
  - ☒ (5) Should the defendant not continue in the Teen Challenge Residential Treatment Program after four (4) months, the defendant shall be subject to random alcohol testing/screening, which at the direction of the probation officer, may include the use of the BI TAD (transdermal alcohol device) or Soberlink. The defendant shall abide by all technological requirements and shall pay the costs of BI TAD or Soberlink based upon their ability to pay as directed by the probation officer.
  - ☒ (6) All previously imposed conditions remain in full force and effect.

**ADVICE OF PENALTIES AND SANCTIONS**

TO THE DEFENDANT: **YOBANY MADRIGAL-SANCHEZ**

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

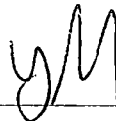
If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

**Acknowledgment of the Defendant**

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.



*Defendant's Signature*

**Directions to the United States Marshal**

( ☒ ) The defendant is ORDERED released after processing.

Date: 6/29/23



*Judicial Officer's Signature*

**BARBARA A. MCAULIFFE, U.S. MAGISTRATE JUDGE**

*Printed name and title*